

March 1, 1999

Magalie Roman Salas, Esquire
Secretary
Federal Communications Commission
Room 222
445 12th Street, S.W.
Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Ms. Salas,

Enclosed is an original and four copies of a Petition for Rule Making to amend the FM table of allotments for a new FM broadcast station for Shiprock, New Mexico.

Sincerely,



Victor A. Michael Jr.

President

Mountain West Broadcasting
6807 Foxglove Drive
Cheyenne, Wyoming 82009

307-778-9318

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Before the
FEDERAL COMMUNICATIONS COMMISSION
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In the matter of:

Amendment of Section 73.202 (b)

Table of Allotments

FM Broadcast Stations

(Shiprock, New Mexico)

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RM-_____

PETITION FOR RULE MAKING

In this petition, Mountain West Broadcasting is hereby requesting to allot channel 293C1 (106.5 Mhz) to Shiprock, New Mexico as its first local FM allotment.

INTRODUCTION

1. This statement is a petition for rule making to allot FM channel 293C1 (106.5 Mhz) to Shiprock, New Mexico and add it to the Commission's FM table of allotments, 73.202. The following will show the need for an FM channel and the effects the allotment of Channel 293C1 to Shiprock will have.

DISCUSSION

2. Shiprock is located in Northwest New Mexico. It is also located within San Juan County, a county of some 91,605 persons. Shiprock has a population of 7,687 persons in accordance with the 1999 Rand McNally Road Atlas, which is based on 1990 census data.

3. The allotment of channel 293C1 to Shiprock will provide the first local broadcast facility to the community and/or the surrounding area. The closest FM allotment to Shiprock is located at Farmington, New Mexico. Farmington is located 44 kilometers from Shiprock. Shiprock, while not incorporated, has many retail businesses as it is located just off the congested highway 64 which leads to Farmington, New Mexico. Shiprock has also seen growth and is estimated to have a population of over 8,000 persons. It has a several businesses, churches, post office and civic organizations.

4. Shiprock would greatly benefit from an FM allotment due to the fact there is no AM or FM broadcast facilities within 44 Kilometers of Shiprock. Because of this, it would have an outlet for local self expression. Health and safety for the community would be increased due to having a local communications outlet for warning the Shiprock area of emergency conditions caused by severe weather or other health hazards. It is obvious from the above spacing, that Shiprock is presently without local FM service.

5. Channel 293C1 can be allotted to Shiprock and meet all rules and requirements of the Commission. The instant proposal will not cause a change in the channel number or a deletion of any channel now appearing in the Commission's table of allotments 73.202.

	<u>Present</u>	<u>Proposed</u>
Shiprock, New Mexico	——	293C1

6. In accordance with 73.207 of the Commission's rules, "Minimum Distance Separations between Stations", all allotments on Channel 293C1 and the pertinent adjacent channels to 293C1 have been studied with the results listed in Figure 1 of this petition. The geographic coordinates used for the spacing

Study (N 36 - 45' - 38", W. 108 - 42' - 27") are that of a site located 3.1 kilometers southwest the community of Shiprock. A site restriction of 3.1 kilometers southwest will be required to allot channel 293C1 to Shiprock. Many suitable transmitter sites are available to provide city grade coverage (3.16 mv/m or 70 dbu) to the entire community of Shiprock. These sites would also provide full minimum spacing requirements to other allotments.

CONCLUSION

7. It has been shown that Shiprock would benefit from the allotment of channel 293C1. It has also been shown that channel 293C1 can be allotted to Shiprock and meet all rules regarding spacing from other stations. Considering these two facts, Mountain West Broadcasting hereby requests that the Federal Communications Commission institute a Rule Making proceeding to amend the Table of Allotments to include channel 293C1 for Shiprock New Mexico, 73.202.

8. Should channel 293C1 be allotted to Shiprock, I certify that I will file an application for a Construction Permit to operate an FM station for Shiprock, New Mexico.

CERTIFICATION

9. I certify that I have prepared or directly supervised the preparation of this entire Petition for Rule Making, and that the facts contained within are true to the best of my knowledge, information and belief, accurate and true.

Dated: March 1, 1999

Respectfully submitted,



Victor A. Michael Jr.
President
Mountain West Broadcasting
6807 Foxglove Drive
Cheyenne, WY 82009

307-778-9318

MAPFM search of channel 293C1 (106.5 MHz), at N. 36 45 38, W. 108 42 27.

Searching Channel 293C1 (106.5 MHz):

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG	CLEARANCE
ALC	Farmington	NM	239	C1	U	45.1	34.0	93.8°	11.1
KPCL	Farmington	NM	239	C1	L	44.2	34.0	99.4°	10.2
ALC	Gallup	NM	291	C2	U	137.1	79.0	181.3°	58.1
KFMQ	Gallup	NM	291	C2	L	140.6	79.0	181.3°	61.6
NEW-T	Aztec	NM	291	D	A	60.7	0.0	88.8°	60.7
NEW-T	Cedar Hill	NM	291	D	A	73.0	0.0	85.3°	73.0
ALC	Pagosa Springs	CO	292	C3	V	151.1	144.0	71.5°	7.1
KWUFFM	Pagosa Springs	CO	292	A	L	151.1	129.0	71.5°	22.1
ALC	Paonia	CO	293	A	A	253.7	196.0	22.8°	57.7
ALC	Los Alamos	NM	294	C1	U	235.2	177.0	114.4°	58.2
KBOM	Los Alamos	NM	294	C1	L	223.8	177.0	118.9°	46.8
ALC	Bayfield	CO	296	C	A	111.4	105.0	62.4°	6.4
ALC	Silverton	CO	296	C	V	105.4	105.0	50.6°	0.4
K296EO	Dolores	CO	296	D	L	79.7	0.0	12.8°	79.7
NEW	Silverton	CO	296	C	A	105.4	105.0	50.6°	0.4
K296DL	Farmington	NM	296	D	L	43.9	0.0	99.2°	43.9

FIGURE 1
SHIPROCK, NEW MEXICO
MOUNTAIN WEST BROADCASTING